

**UNITED STATES DISTRICT COURT  
DISTRICT OF MINNESOTA**

**American Litho, Inc.,  
a Michigan corporation,**

**Civil No. 08-CV-5892 (JMR/SRN)**

**Plaintiff,**

**ORDER**

**v.**

**Imation Corp.,  
a Delaware corporation,**

**Defendant.**

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Richard A. Gaffin, Miller, Canfield, Paddock & Stone, PLC, 99 Monroe Ave. NW, Suite 1200, Grand Rapids, Michigan 49503 and John D. Schrager, Wagner, Falconer & Judd, Ltd., 80 S. 8th Street, Suite 1700, Minneapolis, Minnesota 55402, for Plaintiff.

David B. Potter and David A. Prange, Oppenheimer, Wolff & Donnelly, LLP, 45 S. 7th Street, Suite 3300, Minneapolis, Minnesota 55402, for Defendant.

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This matter is before the Court on the Report and Recommendation of United States Magistrate Judge Susan Richard Nelson. No objections to the Report and Recommendation were filed within the requisite time period. Accordingly, **IT IS HEREBY ORDERED** that Defendant's Motion for Partial Summary Judgment [Doc. No. 27] is **DENIED**.

Dated: February 23, 2010

s/James M. Rosenbaum  
James M. Rosenbaum  
United States District Court Judge